Alberta
ENVIRONMENT

ENFORCEMENT OF THE

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

And

WATER ACT

1 Jan 2010 - 31 Mar 2010

May 2010
Environmental Management Division
Alberta Environment

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Enforcement Actions

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Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Administrative Penalties				
Suncor Energy Inc.	MD of Wood Buffalo 24-92-10-W4	19-Jan-10 Assessed: $4,000.00	AEPEA(R) 227(e)	The Company operates an Oil Sands Processing Plant and Mine pursuant to an Approval. It contravened its approval when it did not exercise appropriate due diligence concerning the failure to ensure combustion of all combustible gases from flares 19F-1 and 19F-3. Paid 19 January 2010.
Canadian Gas & Electric Inc.	Grande Prairie SW-23-21-6-W6	25-Jan-10 Assessed: $12,000.00	AEPEA(R) 227(e)	The Company operates the Grande Prairie combined heat and thermal electric power plant pursuant to an Approval. It contravened its license between January 1, 2008 and January 23, 2009 when it failed to meet the emission concentration limits, the mass emission limits, and the opacity limits as set out within the licence. Paid 25 January 2010.
Bassano, Town of	Bassano SE-21-18-17-W4	01-Feb-10 Assessed: $6,500.00	AEPEA(R) 227(e)	The Town owns and operates the Bassano Water Treatment Plant pursuant to an Approval. It contravened its approval by failing to have a properly certified operator and for failing to immediately report by telephone a contravention of a term of the Approval. Paid 1 February 2010.
Panda Tank & Vac Truck Services Inc.	Grande Prairie Plan 0024970, Block 16, Lot 6	01-Feb-10 Assessed: $3,000.00	AEPEA(R) 110(1)	The Company failed to immediately report a release of approximately 2.5 cubic metres of petroleum distillate into the environment that may cause, is causing, or has caused an adverse effect. Paid 1 February 2010.
Talisman Energy Inc.	Teepee Creek SE-2-74-4-W6	03-Feb-10 Assessed: $3,500.00	AEPEA(R) 227(e)	The Company operates the Teepee Creek sour gas processing plant pursuant to an Approval. It contravened its license when it failed to test discharge water for the required parameters as set out in the approval. Paid 3 February 2010.
Suncor Energy Inc.	MD of Wood Buffalo 23-92-10-W4 24-92-10-W4 25-92-10-W4 26-92-10-W4	08-Feb-10 Assessed: $5,000.00	AEPEA(R) 227(e)	The Company operates the Oil Sands Processing Plant and Mine pursuant to an Approval. It contravened its license by releasing vapours containing nitrogen, hydrocarbons and H2S through ineffective operation of the VRU hydrogen sulphide treatment unit for the periods of August 26th through August 31st, 2007, and failure to immediately report this contravention of the Approval. Notice of Appeal received 13 November 2009 by the Environmental Appeal Board. Amended Notice of Administrative Penalty issued 5 February 2010 reducing the

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Administrative Penalties				
				total penalty by $2500.00 for the reporting contravention. Paid in full ($5000.00) 8 February 2010. Discontinuance of Proceedings received by the Environmental Appeal Board 10 February 2010. File Closed.
Mountain View County	Mountain View County SE-4-32-5-W5	01-Mar-10 Assessed $2,000.00	WA 36(1)	Between August 21 and 25, 2007, Mountain View County constructed the Revised Flood Works without an approval under the Water Act. The unauthorized works was an activity which may alter the flow or level of water in Fallen Timber Creek during a future flood event. Paid 01 March 2010
Camgill Enterprises Ltd.	Airdrie SW-12-27-1-W5	02-Mar-10 Assessed $4,000.00	WA 142(1)(h)	The Companies commenced and continued an activity, the construction of a berm, which may alter the flow or level of the water in Nose Creek during a flood event, or that may change the location or flow of water during a future flood event without an Approval under the Water Act. Paid 2 March 2010.
Scott Builders Inc.	Airdrie SW-12-27-1-W5	02-Mar-10 Assessed $4,000.00	WA 142(1)(h)	SEE DETAILS Camgill Enterprises Ltd.
Paramount Investments Inc (Operating under Trade Name Paramount Group of Companies)	St. Albert Plan 2204HW, Block 2, Lot 4	26-Mar-10 Assessed $3,500.00	WA 36(1)	The Company commenced an activity where land and vegetation were disturbed causing potential for erosion and sedimentation in the water body and soil was pushed in the water body without authorization. Paid 26 March 2010

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Amended Enforcement Orders

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Tongue Creek Feeders Ltd.	MD of Foothills SE-16-19-1-W5	31-Mar-10	AEPEA(R) 227(e)	Amendment No. 1 to EO-2010/01-CR issued substituting "May 1, 2010" for "April 19, 2010" in clause 1, substituting "June 15, 2010" for "May 17, 2010" in clause 2, substituting "May 1, 2010" for "April 26, 2010" in clause 3, substituting "June 22, 2010" for "May 25, 2010" in clause 4, substituting "June 29, 2010" for "May 25, 2010" in clause 5. Clause 7 is deleted and replaced with: 7(a) Submit to the Director by May 15, 2010, a Soil Survey Plan for each of the 3 compost facilities, and 7(b) Submit to the Director by June 29, 2010, separate reports for each compost facility for all the testing that is required in the Soil Survey Plans.

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Amended Environmental Protection Orders				
Urban Ore Farms Ltd. & Masnikoff, George		22-Jan-10	AEPEA(R) 125(1)	Amendment No. 1 to EPO 98-07 substituting the fourth recital with "Whereas from 1998 to 1992 the Parties had approval to operate a waste management facility at the Site which resulted in calcium carbonate settling ponds and stockpiles being left unreclaimed on the Site". The fifth recital with "Whereas a release of one or more substances has occurred and the Parties are persons responsible for the said release". The ninth recital with "Whereas in the opinion of the Director, the Site must be remediated according to s. 112 of the Act.", and The Direction "Therefore, I Chris Powter,..." is replaced with "THEREFORE, I, Jim Steele, Director, pursuant to section 113 of the Environmental Protection and Enhancement Act..." File closed 02 February 2010.
Battle River Rock & Gravel Inc.	County of Camrose NW-33-43-21-W4	02-Mar-10	AEPEA(R) 140 113	Any reference of the lands legally described as "SE 4-44-21-W4M" and "Landowner 2" are removed from the recitals in the Order.

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Enforcement Orders				
Tongue Creek Feeders Ltd. & Morrison, Peter	MD of Foothills NE-15-19-1-W5 SE-16-19-1-W5 SE-22-19-1-W5 NE-9-19-1-W5	19-Feb-10	AEPEA(R) 227(e)	Tongue Creek Feeders Ltd. operates three Compost Facilities (Tongue Creek Feeders #1, Roseburn Ranches Ltd. and Tongue Creek Feeders #2) pursuant to Code of Practice Registrations. Peter Morrison is the sole Director of the Company. Inspection of the facilities found numerous instances of non-compliance, including, the failure to produce an operating plan upon request; failure to maintain and produce a record of daily operating temperatures and operating records, and failure to ensure that leachate from the paunch loading area remains separate from the regular run-off. Inspection also revealed the facilities were accepting more than 20,000 tonnes of waste per year without the required Approval. The parties shall prepare and implement Ground Water Monitoring and Operating Plans. Submit monthly analytical results and volumes of waste streams accepted. Submit soil survey plans and plans for odour and dust control including abatement methods, all for each of the three registrations. The Parties shall operate the facilities in accordance with the Code of Practice for Compost Facilities, and they cannot exceed 20,000 tonnes of waste received per registration until such time an approval is in place.

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Environmental Protection Orders

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Rock River Resources Ltd.	County of Paintearth SE-33-38-14-W4	26-Jan-10	AEPEA(R) 140 113	The Company was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. The ERCB issued the Abandonment Order to the Company, the Surface Rights Board issued the Termination Order and Alberta Environment ["AENV"] issued a partial reclamation certificate yet reclamation work remains outstanding for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan, and apply for a reclamation certificate once the criteria has been met.
Battle River Rock & Gravel Inc.	County of Camrose NW-33-43-21-W4 SE-4-44-21-W4	26-Feb-10	AEPEA(R) 140	The Company has operated a gravel pit on portions of the lands owned by two separate landowners ("Landowner #1" and "Landowner #2"). An Inspection identified several deficiencies at the gravel pit including failure to register the pit. Since then the Company has stated they would not return to the Pit. AENV is of the opinion that the Company has failed to conserve and reclaim the Pit, and to meet the legislated reclamation obligations. The Operator shall immediately cease operation of the Pit, including all activities at the Pit relating to the working, recovery removal and/or sale of soil, gravel, sand or any other material from the Lands, submit a reclamation plan for the Pit that shall include and comply with all reclamation requirements in the Act, the Regulation and the Code of Practice for Pits, include a proposal and schedule of implementation for the proposed reclamation work, implement the plan, submit a final written report, and apply for a reclamation certificate.
Campbell, Victor	Flagstaff County NE-22-42-17-W4	04-Mar-10	AEPEA(R) 140 113	Victor Leroy Campbell ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. The ERCB issued the Abandonment Order to the Company and Alberta Environment ["AENV"] has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites and is

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Environmental Protection Orders				
				of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan, and apply for a reclamation certificate once the criteria has been met.

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Field Warning				
No Activity				

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Prosecutions				
QIS Trucking Ltd.		11-Jan-10 Penalty: $6,000.00	WA 36	Count 1: Co-accused "Quinney, Dale" On or between the 8th day of May, 2008 and the 12th day of June, 2008, both dates inclusive, at or near the Village of Wabamun in the Province of Alberta did commence or continue an activity without obtaining an approval and without being otherwise authorized under the Water Act, contrary to section 36 of the Water Act and did thereby commit an offence contrary to section 142(1) (h) of the Water Act. QIS Trucking pled guilty and was sentenced to a fine of $1,000.00. In addition, a Creative Sentencing Order was issued in the amount of $5,000.00 payable to the Jackfish Lake Management Association, who will use the funds to run a publicity campaign focusing on the impacts of shoreline modification and will target the Jackfish Lake residents. Fine paid 18 January 2010.
Enviro-Serv Recycling Services Inc		26-Feb-10 Penalty: $11,500.00	AEPEA(R) 191(a)	Count 8: Co-accused "Prairie Distributors Inc." On about the 13th day of December, 2006, at or near Crossfield, Alberta did consign hazardous waste without the waste being accompanied with a manifest that is completed in accordance with the regulations, contrary to section 191(a) of the Environmental Protection and Enhancement Act and did thereby commit an offence contrary to section 227(j) of the Environmental Protection and Enhancement Act. Pled guilty 26 February 2010 and was sentenced to a fine of $11,500.00 as well as ordered not to handle or store hazardous waste for a maximum of 3 years.
Hassanali Nasrullah		26-Feb-10 Penalty: $3,420.00	AEPEA(R) 227(j)	Count 4: Between the 2nd day of October, 2007 and the 15th day of September, 2008, both dates inclusive, at or near Crossfield, Alberta did commence or continue an activity that is designated by the regulations as requiring an approval to wit: the construction, operation or reclamation of a facility that is engaged in the storage of hazardous waste that is generated by a person other than the person responsible for the facility within the meaning of the Waste Control Regulation (AR 192/96) where more than 10 tonnes of hazardous waste are stored at the facility at any one time without an approval contrary to section 61 of the Environmental Protection and Enhancement Act, and did thereby commit an offence contrary to section 227(j) of the Environmental Protection and Enhancement Act. Pled guilty 26 February 2010 and was sentenced to a fine of

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Prosecutions				
				$3,420.00 as well as ordered not handle or store hazardous waste for a maximum of 3 years.
Prairie Distributors Inc.		26-Feb-10 Penalty: $17,250.00	AEPEA(R) 192/96 15(2)	Count 11: Co-accused "Enviro-Serv Recycling Services Inc." Between the 2nd day of October, 2006 and the 31st day of December, 2006, both dates inclusive, at or near Crossfield, Alberta did knowingly import hazardous waste into Alberta for the purpose of disposal, contrary to s. 15(2) of the Waste Control Regulation and did thereby commit an offence contrary to section 42 of the Waste Control Regulation. Pled guilty and was sentenced to a fine of $17,250.00 as well was ordered not to handle or store hazardous waste for a maximum of 3 years.
Prairie Distributors Inc.		26-Feb-10 Penalty: $17,250.00	AEPEA(R) 60	Count 14: Co-accused "Enviro-Serv Recycling Services Inc." Between the 2nd day of October, 2007 and the 16th day of September, 2008, both dates inclusive, at or near Crossfield, Alberta did knowingly commence or continue an activity that is designated by the regulations as requiring an approval, to wit: Schedule 1(f) of the Activities Designation Regulation which provides as follows: the construction, operation or reclamation of a facility that is engaged in the storage of hazardous waste that is generated by a person other than the person responsible for the facility within the meaning of the Waste Control Regulation (AR 192/96) where ii) more than 10 tonnes of hazardous waste are stored at the facility at any one time without being the holder of the required approval contrary to section 60 of the Environmental Protection and Enhancement Act, and did thereby commit an offence contrary to section 227(j) of the Environmental Protection and Enhancement Act. Pled guilty and was sentenced to a fine of $17,250.00 as well was ordered not to handle or store hazardous waste for a maximum of 3 years.
Prairie Distributors Inc.		26-Feb-10 Penalty: $17,250.00	AEPEA(R) 192/96 11(1)(c)	Count 4: Co-accused "Enviro-Serv Recycling Services Inc." Between the 2nd day of October, 2006, and the 27th day of September, 2007, both dates inclusive, at or near Crossfield, Alberta did fail to store hazardous waste in an amount and in a manner so that: at least secondary containment is provided for liquid hazardous waste, and there are no openings in the secondary containment

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Prosecutions				
				system that provide a direct connection to the area surrounding the system contrary to s. 11(1)(c) of the Waste Control Regulation and did thereby commit an offence contrary to section 42 of the Waste Control Regulation. Pled guilty and was sentenced to a fine of $17,250.00 as well as ordered not to handle or store hazardous waste for a maximum of 3 years.

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Tickets				
Calgary Aggregate Recycling Limited	Calgary	08-Mar-10 Penalty $115.00	AEPEA(R) 61	The Company conducted an activity, the burning of prohibited debris in an open fire without an approval. Paid 08 March 2010.

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Warning Letters				
Guthrie, Donald	Yellowhead County SW-36-53-11-W5 NW-36-53-11-W5	07-Jan-10	AEPEA(R) 61	SEE DETAILS: Guthrie, Delphine
Guthrie, Delphine	Yellowhead County SW-36-53-11-W5 NW-36-53-11-W5	07-Jan-10	AEPEA(R) 61	Mrs. Guthrie conducted an activity, the burning of prohibited debris, a tire without proper authorization.
Pembina Pipeline Corporation	Edmonton NW-29-53-23-W4 NE-29-53-23-W4 NW-28-53-23-W4 NE-28-53-23-W4	12-Jan-10	WA 36(3)(c)	The Company conducted an activity, the installation of armorflex matting and rip-rap cover over existing pipeline in the North Saskatchewan River commencing on or about October 26, 2009.
Alberta Transportation	Calgary S-13-24-1-W5	14-Jan-10	WA 142(1)(e)	Alberta Transportation contravened its Approval by failing to immediately report the release that occurred in the Bow River on or about August 26, 2009 with respect to the Calgary Weir Modification Project.
Bridgecreek Development Corporation	Crowsnest Pass Plan 0714930, Block 2 Plan 8711401, Block 3 Plan 0714930, Block 1 Plan 0714930, Block 3	01-Feb-10	AEPEA(R) 110 WA 36(1) 109(2) FFA 36(3)	The Company conducted an activity, the release of silt and coal fines into the Crowsnest River on March 11, 2008, the release of wind eroded particulates onto neighbouring properties between January 15th and March 28th, 2008, and a further release of wind eroded particulates between January 28th and February 2, 2009.
River Run Developments Ltd	Crowsnest Pass Plan 8711401, Block 3 Plan 0714930, Block 1	01-Feb-10	AEPEA(R) 110 109(2) FFA 36(3)	The Company conducted an activity, the release of silt and coal fines into the Crowsnest River on March 11, 2008, the release of wind eroded particulates onto neighbouring properties between January 15th and March 28th, 2008, and a further release of wind eroded particulates between January 28th and February 2, 2009.

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Warning Letters				
	Plan 0714930, Block 2 Plan 0714930, Block 3		WA 36(1)	
Hill Spring, Village of	Cardston County Plan 9411806, Lot 17	10-Feb-10	AEPEA(R) 227(e) 277/203 8	Inspection of the Village of Hill Spring's Water Treatment Plant discovered contraventions of Clauses 3.1.2, 5.1.6, 5.1.8, 6.1.1, 8.1.1, 8.1.3 of the Code of Practice for Waterworks Systems Using High Quality Groundwater. It was also discovered that an unauthorized chemical was being added to the waterworks system.

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Water Management Orders				
No Activity				